

2006 REPORT OF THE DIVISION OF STATE COURT ADMINISTRATION

Lilia G. Judson, Executive Director

Indiana was the host of the 2006 annual meeting of the Conference of Chief Justices (CCJ) and Conference of State Court Administrators (COSCA). The meeting took place in Indianapolis from July 30 to August 2, and Division staff played a key role in organizing the social and educational events as well as the execution of a very successful meeting. The two conferences, CCJ and COSCA, are the leading national organizations working on behalf of the state court systems and are comprised of the chief justice and state court administrator, respectively, of every state, the District of Columbia, the Commonwealth of Puerto Rico, Commonwealth of the Northern Mariana Islands, and the territories of American Samoa, Guam and the Virgin Islands.

The meeting's theme was the assessment of judicial administration in light of a famous speech given by Harvard Law School Dean, Roscoe Pound, 100 years ago.

In addition to serving as host, Indiana's Chief Justice Shepard completed his one-year term at the conclusion of the annual meeting as president of the Conference of Chief Justices and Chair of the Board of Directors of the National Center for State Courts. The COSCA host, State Court Administrator Lilia Judson, completed her three-year term on the Board of Directors of COSCA and as chair of that organization's education committee.

A number of Indiana judges and other Hoosiers attended the meetings and participated in the programs. Governor Mitch Daniels spoke and welcomed over 240 judges and other guests at a luncheon. Former Indianapolis Mayor and Marion County Prosecutor, Harvard Professor Steve Goldsmith spoke about the challenges facing modern government; Indiana University School of Law at Bloomington Professor Charles Geyh spoke on "Popular Impatience with Restraint," and Dean James White, Indiana University School of Law at Indianapolis Professor Emeritus, discussed the future of legal education in America. Judge John Surbeck,

Allen Superior Court, offered special insights on re-entry courts.

TRIAL COURT MANAGEMENT

1) JUDICIAL SERVICE REPORTS

One core responsibility of the Division is the collection of statistical information concerning the operation of Indiana's courts and their offices. Pursuant to I.C. 33-24-6-3 and Indiana Supreme Court Administrative Rules 1 and 2, the Division collects and publishes information on the caseload and fiscal activities of all courts and probation departments throughout the state. This data is published annually in The Indiana Judicial Service Report and The Indiana Probation Report. This data provides the empirical basis for policy decisions by both the Indiana Supreme Court and the Indiana General Assembly, and also provides important management information for individual courts.

In 2006, the Division launched Indiana Courts Online Reporting (ICOR) with the cooperation of JTAC. The Division conducted several training sessions in conjunction with the ICOR launch, enabling the courts and clerks' staff to ask questions and deliver input on the system. Starting in 2007, all courts and probation departments will file their quarterly statistical reports (caseload, probation supervisions and Juvenile Law Services information) online. With the statistical information being filed electronically, the users of the data will enjoy greater access to the information as well as a greater ability to analyze the data when reviewing court services. By the end of 2007, the courts, probation departments, public defenders offices and Juvenile Detention Facilities will file all statistical reports online.

2) WEIGHTED CASELOAD MEASURES AND CASELOAD REDISTRIBUTION PLANS

Since the mid-1990s, the Division has employed a weighted caseload (WCL) measurement system to analyze the statistical caseload data collected from the courts and report on judicial resource needs. Each year, the Division publishes a Weighted Caseload

Report that provides a uniform, statewide method for comparing trial court caseloads. The system was first developed in 1993-1994 by a committee of the Indiana Judicial Conference and the Division, with the help of a consultant with nationally recognized expertise in weighted caseload measurement systems. The system was updated in 2002 and is again undergoing an update and revalidation. Indiana's caseload measurement system is based on time studies and actual case file audits and ascribes relative "weights" or "counts" to the different types of cases.

Presently, the Indiana Supreme Court has defined 34 different case types (Administrative Rule 8 identifies 35 case types but CB—Court Business does not receive a weight). Without a weighted system, each of these case types, whether murders or infractions, would receive a weight or count of "one." A WCL system provides a relative comparison between the different case types and allows courts and court policy makers to determine the sort of resources that would be necessary to handle the courts' caseloads.

The current WCL update and revalidation procedure will mirror the original study. The original study involved more than 200 judicial officers who maintained time sheets for specific periods. During the first phase of the study, the committee developed a list of specific case actions that occur before, during and after a case, such as prejudgment hearings, trial preparation, motion practice, plea/admissions hearings, bench trials, settlements, jury trials, opinion drafting, order issuing, sentencing, post judgment hearings (for example, probation revocations, petitions for support and custody modifications) and research. During the second phase, the participating judicial officers then maintained time sheets detailing how much time each of these particular actions required. The third phase involved the audit by the committee and its consultants of thousands of randomly selected case files, some already closed for many years, and other still active. This audit revealed how frequently each of the specific case actions occurred in a particular case type. The consultant then analyzed this data to determine the statewide average of how frequently these actions occurred in particular case types and how long they took. The analysis resulted in the establishment of a relative time, in minutes, for handling each of the 34 case types.

The committee also derived an average number of minutes available to every judicial officer in a calendar year for handling case-related activities. This number represents an average 40-hour workweek, reduced by time for events or obligations such as vacations, illness, administrative responsibilities, continuing legal education, community activities and public outreach.

The WCL system is used to evaluate new filings only. It allows courts to forecast the amount of judicial time that would be necessary to process the cases being filed in a particular court or county.

Because the WCL system is based on statewide averages, it is important to recognize that it encompasses cases that are dismissed before any action is ever taken by a court, cases that are settled, cases that are reopened numerous times, and cases that require weeks to try. In addition, averages do not reflect specific local differences that may affect a particular county or court.

In order to assist policy makers in accurately assessing a county's need for additional judicial officers, the Division also publishes a report on the relative severity of judicial resource need. The WCL system provides a tool for assessing the need for additional judges based on the number of cases being filed in a county. The "relative severity of need" concept provides a relative comparison of the need for new judges in each county.

This concept is best illustrated by an example. If the report indicates that County A and County B each need 2 additional judges, it may seem that their need is identical. Because of the number of judges already working in a county, however, the severity of the need may vary significantly. If County A already has 10 judges and needs 2 judges, it means that each of the 10 judges has to carry 120% of the expected caseload. On the other hand, if County B only has 2 judges and needs 2 more, it means that each of its existing judges is already handling double the expected caseload. Obviously, the "relative severity" of County B's need for new judges is far greater than the need of County A.

The Weighted Caseload Measures report appears in this Volume in the Indiana Trial Courts Annual Report section and also is available at www.in.gov/judiciary/admin/courtmgmt.

3) ACCESS TO COURT RECORDS AND REQUESTS FOR BULK DISTRIBUTION OF COURT RECORDS

Administrative Rule 9, amended in 2006, addresses public access to court records. The rule governs all case and administrative court records maintained and generated by every court and court agency in the state court system. The most novel concept in the rule is the requirement that information not subject to public access be filed on green paper. Various issues have arisen over the year regarding the rule, including whether it applies to Appellate Court Records, and if so, to what extent, as well as to what extent the rule applies to recordings of court proceedings.

One significant provision in the rule charges that the Division review and grant or deny requests for bulk compilations of court information. Administrative Rule 9 defines “bulk distribution” as “the distribution of all, or a significant subset of the information in court records in electronic form, as is, and without modification or compilation.” This duty also requires the development and execution of a user agreement between the Division and the requesting party. In 2006, the Division created a renewal process for the user agreements, where the agreement expires every January 31 subject to approved renewals. During 2006, the Division received 8 new requests for bulk records and executed the requisite user agreements or renewals with 19 of the requesters. A list of the approved bulk records requesters; along with copies of their user agreements may be found at www.in.gov/judiciary/admin/courtmgmt/bulk-data.

Education about and assistance with the application of the provisions of Administrative Rule 9 on public access to court records continues to be a significant Division function. The Division expects to review and enhance the online handbook to address the issues that have arisen as a result of the rule amendments.

4) DEPLOYMENT OF TRIAL COURT INFORMATION ON THE INTERNET

Rapid advancements in technology and the efficiency it affords have prompted some of Indiana’s courts to seek ways to post docket information on the Internet. In an effort to both encourage and ensure that only public court information is deployed, and deployed appropriately, the Court promulgated

Trial Rule 77(K). This rule provides that before any court or clerk deploys any court information on the Internet, it must seek and receive authorization from the Division.

During 2006, Division staff reviewed and approved numerous such requests. The list of approved counties can be viewed at www.in.gov/judiciary/trialcourts/tr77-approval.html. Of the 92 counties in Indiana, 49 of them have been approved to post their docket information. In addition, 5 city courts post their docket information pursuant to Trial Rule 77(K). The Division is currently reviewing numerous additional Trial Rule 77(K) requests.

The Division’s Judicial Technology and Automation Committee (JTAC) staff, which is responsible for the development and maintenance of the Indiana Judicial website, developed individual web pages for each of Indiana’s counties, listing contact information for all clerks and courts. The county websites also contain other useful information such as the local court rules, directions to the county courts and photographs of the often architecturally unique courthouses. The local websites are listed at www.in.gov/judiciary/trialcourts/. The websites are continually updated as the Division receives or approves additional rule as related information.

5) STATE OFFICE OF GUARDIAN AD LITEM/ COURT APPOINTED SPECIAL ADVOCATE

In child abuse and neglect cases, the attorneys and court often can become focused on the implicated adults with little attention paid to the needs of the child-victims. Guardians *ad litem* and Court Appointed Special Advocates serve as representatives of children in child abuse and neglect cases so that their interests are protected and their voices are heard. In 1989, the General Assembly established a program for Guardian *ad litem* and Court Appointed Special Advocate (“GAL/CASA”) services, to be administered by the Division.

Through this program, counties are encouraged to provide appropriate GAL/CASA services by receiving matching state funding administered by the Division and disbursed under a statutory formula. In addition, the Division’s State Office of GAL/CASA (“State Office”) provides training and support services for local GAL/CASA programs.

Sixty-four of Indiana's 92 counties were certified for state GAL/CASA funds in 2006. Sixty-five counties in Indiana funded a volunteer-based GAL/CASA program, staffed by 153 paid personnel. Of the 65 counties with volunteer-based programs, 32 counties had court-based programs, 23 counties had programs that were separate non-profit entities, and 10 counties had programs that were operated under the umbrella of another non-profit entity. The remaining 27 counties appointed either attorney GALs or utilized other, paid GALs. During 2006, GAL/CASA volunteers donated an estimated 343,722 hours. If the contribution of GAL/CASA volunteers is calculated using the rate customarily paid to non-volunteer appointed GALs (\$50 hourly), the volunteers contributed an estimated \$17.2 million to the State of Indiana.

There were at least 2,008 active GAL/CASA volunteers statewide in 2006 including 586 newly trained volunteers, and GAL/CASA volunteers advocated for 17,482 children involving 15,849 cases. Even so, there were at least 5,326 children still waiting for a GAL/CASA volunteer to be appointed to their cases at the end of 2006.

On October 20, 2006, the Supreme Court GAL/CASA office held its annual meeting for GAL/CASA directors and staff, and on October 21, sponsored the Tenth Annual Indiana State GAL/CASA Conference. Over 450 GAL/CASA volunteers, local program directors, service providers, board members, child welfare personnel and local program staff attended the annual CASA conference. In July 2006, the Indiana State Office became the first national CASA-certified statewide office in the nation.

In 2005, the Indiana General Assembly amended the statute regarding GAL/CASA matching funds. The amended statute requires that GAL/CASA programs be certified by the Supreme Court to be eligible for matching funds. In order to be certified, programs must comply with the State Office of GAL/CASA Program Standards and Code of Ethics, provide annual statistics, a budget and a financial statement regarding the use of the funds. The GAL/CASA Director and Program Coordinator from the State Office oversee the certification process and ensure compliance with the program standards.

The Indiana General Assembly also passed

legislation in 2005 requiring the appointment of a GAL/CASA for every child in every Child in Need of Services, or "CHINS," case. The new requirement has created significant challenges for GAL/CASA programs and the judiciary. Additional volunteers and funding are desperately needed in underserved and un-served areas across Indiana.

For more information, see the GAL/CASA statistical reports in the Indiana Trial Courts Annual Report section in this volume.

6) FAMILY COURT PROJECT

The Indiana Supreme Court and the Indiana Legislature partnered in 2000 to create the Indiana Family Court Project to develop model family court projects. The projects target families, who have multiple cases in the court system, and families in domestic relations cases with child-safety issues but no affordable means to address those concerns. The core component of the Family Court Project is judicial coordination of multiple cases involving the same family. This coordination avoids inconsistent orders for families and promotes more informed decision-making. The projects also encourage a "problem-solving" approach in family law matters and promote affordable mediation.

In each family court project, the local judiciary and community work collaboratively to develop programs particularized to local needs. Four Family Court Rules address judicial notice, jurisdiction, and confidentiality issues to promote information sharing on troubled families. The Supreme Court established these rules exclusively for the use of the family court projects.

Every two years the Supreme Court selects new counties to join the Indiana Family Court Project. Currently 23 counties participate in 16 single and regional family court projects. The projects receive assistance from the family court program manager under the direction of the Division of State Court Administration, and two-year seed funding from the Supreme Court to establish programming. Extended funding is available to help counties transition to local government and grant resources.

Family Court project judges and staff members meet annually to outline new programming and share ideas on "what works". The following exciting

innovations were identified in the 2006 annual family court meeting:

1. **Administering the Family Court through the Domestic Relations Counseling Bureau (DRCB).** New legislation allows any county to create a DRCB and to charge fees for the services provided. In St. Joseph County, the DRCB conducts an intake with each family to determine what type of services are needed and then prepares a report to the court recommending services such as mediation, counseling, etc. Services are provided on a sliding fee scale, with most families paying the minimum fee of \$5.00.
2. **Improved information sharing through technology.** Allen County has created a family court screen in the QUEST computer system. Once the case has been entered into QUEST as a Family Court Project case, all related Chronological Case Summaries are merged into one. The judges employ the Family Court Project rules to take judicial notice of orders in the related cases.
3. **Specialized mental health and drug treatment courts.** Both new and established projects are developing innovative programs to address mental health and substance use issues in family court matters. Allen County (Phase IV) and Porter County (Phase I) are screening CHINS and delinquency cases, respectively, for mental health issues and making appropriate referrals for further assessment and treatment. Both counties are working toward development of mental health treatment courts. Tippecanoe County continues to experience great success with its family focused juvenile drug treatment court.

Some additional successful practices that have been identified are:

- Facilitation in CHINS cases at the initial hearing stage to reduce the number of contested fact-finding hearings and encourages earlier parental participation in services.
- Traveling mediators who serve rural, multiple counties at an affordable rate.
- Utilizing law students who have been trained as family law mediators to increase the availability and affordability of mediation in family law cases involving low income and/

or *pro se* litigants.

- Parenting coordination to assist high-conflict families in reaching agreement on parenting time issues that might otherwise require litigation.
- Development of a video to assist *pro se* litigants in understanding and navigating the court process.

It is anticipated that Phase V of the Family Court Project will begin in 2008 with applications for new counties distributed in the summer of 2007 by the Division of State Court Administration. Information about upcoming opportunities will be available on the Supreme Court's web site under family court programming.

For more information, see the Family Courts statistical reports in the Indiana Trial Courts Annual Report section in this volume.

7) APPROVAL OF LOCAL ALTERNATIVE DISPUTE RESOLUTION PLANS FOR DOMESTIC RELATIONS CASES

A 2003 amendment to the Administrative Rules charged the Division with approving local plans for alternative dispute resolution (local ADR plans) created pursuant to statute, I.C. § 33-23-6-1 *et. seq.* The statute was modeled after a pilot program first implemented in Allen County by Judge Thomas Felts. The statute, which also became effective in 2003, allows counties to charge an additional \$20 to all parties filing petitions for legal separation, paternity, or dissolution of marriage, and to deposit this money into a special fund. The fund must be used to foster alternative dispute resolution, mediation, reconciliation, non-binding arbitration, and parental counseling in domestic relations cases. Additionally, the fund must primarily benefit litigants who have the least ability to pay. Parties referred to services covered by the fund may be required to make a co-payment in an amount the court determines, based on the litigant's ability to pay.

To participate in this ADR program, the judges in a county must develop a plan consistent with the statute, submit it to the Judicial Conference of Indiana, and, pursuant to Rule 1.11 of the Rules for Alternative Dispute Resolution, be approved by the Executive Director of the Division. Division staff works with the courts to help them develop their

ADR plans pursuant to guidelines developed by the Domestic Relations Committee of the Judicial Conference.

ADR programs provide an opportunity for parties involved in divorce and paternity litigation to mediate their dispute when their economic circumstances might otherwise preclude this. In addition to mediation, other programs offered through ADR plans include parenting education classes, counseling programs focused on co-parenting and conflict resolution, document preparation for *pro se* litigants, and intensive home case management for high conflict cases involving children. The benefits of these programs are manifold: mediation resolves issues much more quickly and efficiently and saves a tremendous amount of court time especially for *pro se* parties. Mediation also reduces the hostility of litigants and provides them with a model for resolving disputes on their own. Parenting classes and counseling help parents reduce their conflicts and maintain a more positive parenting relationship for the sake of their children.

Thus far, the Division has approved ADR plans for 18 counties (Allen, Boone, Brown, Clark, Henry, Jackson, Lake, Lawrence, Marion, Monroe, Montgomery, Owen, Perry, Porter, Putnam, Shelby, Starke and Tippecanoe) and is helping several more through the process. Many of these programs are fairly new, so available data is limited. Counties such as Allen, that have had an ADR plan in place for some time, however, have reported that a majority of mediated cases are getting resolved. Allen County reports that the number of days from filing to decree has been cut in half, and the wait for trial settings for cases exceeding one-half day decreased by several months. Furthermore, cases that were settled through mediation in the Allen Circuit Court have not returned to court for post-dissolution filings. Also, a total of 2,600 children were affected by the ADR fund plans in 2006. Forty-four percent of the cases accepted under ADR fund plans in 2006 comprised dissolutions involving children.

For more information, see the ADR statistical reports in the Indiana Trial Courts Annual Report section in this volume.

8) ELECTRONIC FILING AND ELECTRONIC SERVICE PILOT PROJECTS

In an effort to encourage advancements in trial court technology, the Supreme Court promulgated Administrative Rule 16, which provides guidance to courts seeking to implement systems for electronic filing. In 2006, the Division developed the necessary factors for an e-filing system, published as an Appendix to Admin. Rule 16. Two counties (Lake and White) have filed proposals for review and approval by the Division for pilot e-filing systems. The Division anticipates that the Lake and White county proposals will be approved, effective in 2008.

Courts interested in implementing pilot e-filing systems must submit proposed plans to the Division, preferably following the format used in the Appendix. Pilot projects of this nature involve various issues, including compatibility with not only existing case management systems but also a planned statewide system; fees; document retention; case types included; security; accessibility by self-represented litigants; software and hardware necessary for implementation, and proof of service.

The Division worked closely with Justice Brent Dickson and JTAC in developing the appendix and reviewing the pilot project proposals. The goal is to approve the proposals, while paying attention to the precedent the projects may establish. The Division also anticipates creating or adapting a model plan for use by future applying courts, based partially on the currently pending proposals. The Division's goal is to promote the pilot projects in light of the defined elements working with the courts to make the pilot projects successful.

9) RECORDS MANAGEMENT – SUPREME COURT RECORDS MANAGEMENT COMMITTEE

The Records Management Section assists trial court clerks and judges with the application of Administrative Rules 6 through 14, 16, and Trial Rule 77. The Administrative Rules set standards for records creation, maintenance, access, and disposal. Trial Rule 77 sets standards for case files, indexes, chronological case summaries (CCS), and records of judgments and orders (RJO).

In 2006, the Section staff made 39 visits to 20 different counties to review microfilming programs for compliance with Administrative Rule 6,

application of court retention schedules, the use of optical imaging for judicial records, and surveying protection order records.

The primary activity consisted of review and approval of imaging proposals and authorizing the physical disposal of trial court records that had been either microfilmed or scanned. Approvals were issued for Allen, Clay, Fountain, Huntington, and Warrick counties and for the City of Carmel. The Allen County approval permitted the scanning of RJO records and destruction of the originals. Staff continued to work with Anderson City, Madison Adult Probation, DeKalb, Fayette, Franklin, Hamilton, Porter, Steuben, Vigo, and Whitley counties on imaging certification proposals. State Court Administration issued 61 individual letters approving destruction of records upon microfilming and 51 letters approving destruction after scanning. Currently, 17 county trial courts have approved imaging systems.

Section staff also responded to the needs and questions of the trial judges and clerks. The staff made presentations at the Association of Clerks of Circuit Courts of Indiana annual and regional meetings. In addition, the Division presented a half-day workshop to circuit court clerks on December 13, regarding the Administrative Rules and Protection Orders. Over 40 counties were represented. In addition, the staff participated in meeting with the Association of Clerks of Circuit Courts of Indiana's records management committee meetings, and fielded numerous telephone, fax, and e-mail inquiries.

Regarding the section staff's other obligations:

- 1) The Supreme Court's Records Management Committee did not meet in 2006.
- 2) The staff did participate in the Division's Continuity of Operations planning sessions.
- 3) Work continued with the Genealogical Society of Utah and the Indiana Commission on Public Records in microfilming trial court records and helped develop a statewide indexing program for Indiana marriage records with the Society, the Commission on Public Records, and the Indiana Genealogical Society.

10) CERTIFIED COURT INTERPRETER PROGRAM

Following the study of language and cultural

barriers in Indiana courts, the Indiana Supreme Court Commission on Race and Gender Fairness made an interim recommendation to the Supreme Court to develop a certified court interpreter program for Indiana. In response, the Supreme Court authorized the Executive Director of the Division of State Court Administration to join with the National Center for State Courts to implement an Indiana court interpreter testing system. Indiana's Court Interpreter Certification Program was officially launched in January 2003.

The Court adopted a five-part process for foreign language interpreter certification. The process starts with a two-day orientation instructing candidates on judicial procedure, protocol and courtroom decorum; the role of an interpreter; ethical issues; skills and modes of interpreting, and terminology. Indiana-specific laws and rules are presented at orientation. Candidates also may practice interpreting skills and receive feedback from instructors.

The second phase is a written exam, comprised of two components. The first component, a multiple choice exam in English, tests candidates on general English language vocabulary, court-related terms and usage, common English idioms, and court interpreter ethics and professional conduct. Candidates must receive at least a score of 80 percent to go on to the next phase. The second component requires candidates to translate several sentences with legal terms from English into Spanish. Currently, this portion of the written exam is utilized only to provide candidates with feedback about their performance.

The third phase of the certification process is a two-day skills building workshop in which candidates practice skills for various interpreting scenarios and are given constructive feedback by instructors. Once a candidate completes the skills building workshop, the candidate is eligible to take the oral foreign language proficiency examination. The oral exam covers the following modes of interpretation: sight translation, consecutive interpreting and simultaneous interpreting. Candidates must score at least 70 percent on all three sections in order to pass. Finally, a candidate must successfully undergo a criminal background check before becoming certified by the Indiana Supreme Court.

To date, Indiana has tested in only the

Spanish language. The first class of candidates began the certification process in October 2003 and completed all phases of the program by March 2004. Because of the rigorous nature of the program, only two (2) candidates out of the original thirty-one (31) students comprising the first class passed all phases of the program in March 2004. Since that time, however, Indiana has successfully conducted six interpreter sessions and increased the pool of certified interpreters to forty-three (43) in the state.

In August 2006, the Supreme Court held a swearing-in ceremony to honor the individuals from the third, fourth, and fifth classes who passed the certification process. Justice Dickson served as master of ceremonies. Former Justice Myra Selby and Rafael Sanchez, past-chair of the State Bar's Latino Affairs Committee, also provided remarks. Session seven of the Indiana Court Interpreter Certification Program will begin on May 3, 2007.

For more information, see the Court Interpreter statistical report in the Indiana Trial Courts Annual Report section in this volume.

11) PROTECTIVE ORDER PROCEEDINGS

The Indiana General Assembly has assigned the Division the duty of designing and updating the forms used in protection order proceedings. To fulfill this assignment, the Division has been working closely with the members of the Protection Order Committee since 2000, when it was established by the Indiana Supreme Court through the Judicial Conference of Indiana, to explore ways to improve the protection order process. The membership of the committee includes trial court judges, magistrates, juvenile court referees, and clerks of the circuit courts. The Indiana Judicial Center and Division provide staffing support for the committee.

The committee has developed a comprehensive set of forms that fall into three main categories: (1) protective orders, (2) no-contact orders, and (3) workplace violence restraining orders. All the forms are located on the Protection Order Forms website that is maintained by the Division.

During 2006, members of the committee directed their labors in three main directions: (1) integrating a set of best practice procedures into the Protection Order Deskbook; (2) designing new forms and

modifying existing forms for the Protection Order Forms website; and (3) working with the Judicial Technology and Automation Committee (JTAC) in designing an automated Protection Order Registry.

Pilot projects for the JTAC Protection Order Registry were developed for Tippecanoe County and Blackford County. The project in Tippecanoe County is under the direction of the Honorable Thomas Busch, who is the current Chair of the Protection Order Committee. In Blackford County, the pilot project is under the direction of the Honorable John Forcum, who is the past Chair of the Protection Order Committee.

12) CONTINUITY OF OPERATIONS PLANNING FOR THE TRIAL COURTS

Sparked by concerns for the continued operation of judicial institutions in the aftermath of natural or other disasters, the Chief Justice charged the Division to work with the Judicial Conference Court Management Committee and help Indiana's trial courts plan for disasters. The committee, with assistance from the Division, began the process of helping Indiana's trial courts prepare for interruptions in their operations caused by natural disasters, human malevolence or infectious outbreaks of disease. Plans to address these situations are commonly known as "COOPs" (Continuity of Operations Plans). Rather than presenting the trial courts with a completed plan, the Court Management Committee designed a template from which the trial courts can develop their own plans.

To date, three counties are in the process of developing disaster preparedness plans based on the template—Franklin, Howard and Allen. Monroe County had already created a disaster plan that has been presented to the Committee for review. In addition, the Committee is working with the Records Management Committee and the Association of Clerks of the Circuit Courts to update their own disaster preparedness manual focusing on records preservation that was developed by the Division in 1993, including a new section for preservation of electronic records. The Records Preservation Plan has three pilot counties—Brown, Hamilton and St. Joseph.

In addition to the template, the Committee has proposed a new Administrative Rule 17 to address

disaster preparedness for all courts. The rule will allow the Supreme Court to declare a local or statewide disaster, provide sample petitions that local courts could use in petitioning for a disaster order and sample orders that courts can use in declaring the disaster. These petitions and orders are mechanisms for allowing the Indiana Supreme Court to suspend time limits related to the Indiana Rules of Court.

13) DESKBOOK FOR APPOINTED JUDICIAL OFFICERS

In 2005, the Chief Justice convened a special task force to develop a standard personnel policy and to update a 1998 Deskbook for appointed judicial officers (magistrates, commissioners and referees). The task force was headed by Senior Judge Richard Payne and included numerous judges (both elected and appointed) supported by staff of the Division and Judicial Center. In late 2006 the Appointed Judicial Officers Taskforce published its Deskbook, which will serve as a resource for magistrates, commissioners, referees, temporary judges, senior judges and judges pro tempore regarding enabling legislation, the scope of authority and benefit information.

COURT SERVICES

1) ACCOUNTS MANAGEMENT, PAYROLL AND CLAIMS, JUDICIAL BENEFITS COORDINATION

The Division maintains and administers 20 accounts, totaling approximately \$117 million. This fiscal responsibility includes the administration of payroll and benefit programs for all state trial court judges, prosecuting attorneys, and other judicial officials paid with state funds. The annual payroll accounting for these purposes total approximately \$75 million, and cover approximately 700 individuals. As part of this “paymaster” function, the Division processes and pays more than 1,300 claims per year for special and senior judge services.

During 2006, the Division conducted numerous education sessions, usually in conjunction with the Annual Indiana Judicial Conference, regarding judicial benefits, retirement, and payroll. The Division also updated and published, pursuant to Administrative Rule 5 (A), a schedule for payment of senior judges. The Division continued its efforts to inform its constituents about the payroll and benefits

process, and to assist individuals in navigating the employee benefits open enrollment program.

2) SPECIAL JUDGES, ATTORNEY DISCIPLINE AND EMPLOYMENT LAW ADVICE

The Supreme Court and the Chief Justice assign the majority of the legal responsibilities of the Division. The Division legal staff serves as counsel to the Supreme Court in matters involving requests for the appointment of special judges, special masters, and senior judges. In 2006, the Division legal staff also assisted the Supreme Court in disposing of approximately 115 disciplinary matters. As part of its disciplinary function, the Division staff conducts preliminary investigations of disciplinary grievances filed against members and staff of the Indiana Supreme Court Disciplinary Commission and attorneys who are serving as hearing officers in disciplinary cases.

Supreme Court rules governing the method of special judge selection call for the establishment of local rules for such selection and certification to the Supreme Court in certain circumstances. The Division monitors local rules establishing plans for special judge selection and processes requests for the appointment of special judges by the Supreme Court. In 2006, the Division received 98 new requests for special judge appointments.

Various federal and state laws, rules and regulations, as well as U.S. Supreme Court decisions affect the administrative responsibilities of trial judges. Since 1996, a Division attorney provides advice and assistance to trial judges on employment law issues relating to the court’s employees. This function also includes training for judges and their staff on a wide variety of issues such as sexual harassment awareness, the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, effectively disciplining and terminating problem employees, effective use of policies, drug testing, and appropriate business conduct for court employees.

Since 2000, a Division legal staff member has served as staff counsel to the Board of Law Examiners, including representing the interests of the Board of Law Examiners in appeal hearings brought by bar applicants who have been denied admission to practice law.

3) SENIOR JUDGE PROGRAM

Since 1989, Indiana has been able to tap into an experienced pool of former judges to help alleviate the pressure of increasing caseloads. Enabling legislation provides that a former judge may apply to the Indiana Judicial Nominating Commission for certification as a senior judge under rules adopted by the Indiana Supreme Court. The legislation further provides that any trial court and the Indiana Court of Appeals may request that the Indiana Supreme Court appoint a senior judge to assist that court. The Division administers the senior judge program.

In 2003, the Indiana Supreme Court developed a comprehensive set of standards for the certification, service, appointment and payment of senior judges. This rule enables the Supreme Court to allocate senior judge time to courts with the heaviest caseloads while still allowing all courts to have sufficient senior judge help (a minimum of 10 days per year) to relieve trial judges during necessary absences from the bench.

The Division's administration of the senior judge program includes processing certification applications and orders of certification, requests for appointments, weighted caseload comparisons and orders of appointment. The Division also administers senior judge benefits and processes claims for payment of per diem expenses.

Small at first, the Indiana senior judge program has grown into an invaluable resource of seasoned judicial officers who serve at minimal cost to the state and no cost to the counties. In 2006, Indiana had 86 certified senior judges who served a total of 3,291 days. These days are equivalent to approximately 18 full-time judicial officers.

For more information, see the Senior Judge statistical reports in the Indiana Trial Courts Annual Report section in this volume.

4) HELPING COURTS AMEND, RENUMBER, AND POST LOCAL RULES

At the request of its Committee on Rules of Practice and Procedure, the Indiana Supreme Court initiated a project designed to ensure that local court rules are readily available to practitioners, litigants, and the public, and to bring uniformity to the local rule numbering and amendment process. Local rules, historically available mainly on the courthouse

bulletin board, are now published on the Internet at the official website of the Indiana Judiciary.

The initiative was spearheaded by a special Local Rules Committee, Chaired by Appellate Court Judge, Margaret Robb. After extensive research and study of existing local rules, the committee recommended and the Supreme Court approved a significant amendment to the way trial courts promulgate local rules. The new amendments to Trial Rule 81 took effect on January 1, 2005. Trial Rule 81 provides that local court rules must be transmitted to Division and local clerks for posting on their respective websites. The amended rule also charged the Division with certain duties regarding the promulgation of local court rules. One duty was to establish and publish a uniform annual schedule for the adoption of, and amendments to, local rules. A second duty was to create a standard format for drafting, amending, and numbering local rules. The Division accomplished this in March 2005, and after receiving comments and suggestions from the trial courts, filed a Second Amended Schedule and Format for Adoption of Local Court Rules in November 2005.

Most counties have submitted their local court rules, which have been posted on the Indiana Judicial website. During 2006, the Division legal staff provided assistance to the trial courts in posting, amending and renumbering their local rules. The staff will continue to assist trial courts as they adopt new, or amend existing, local court rules. Effective January 1, 2007, all courts of record in a county must use one set of local rules and must have renumbered all existing local rules in order for such rules to continue to be effective.

5) TEMPORARY JUDICIAL SERVICE

The Division oversees several programs for temporary judicial services.

Private Judges. The Indiana Legislature has provided by statute that, in certain circumstances, litigants can agree to try certain civil cases before a private judge who is compensated by the litigants (I.C. § 33-38-10-1 *et seq.*). The Division maintains a roster of private judges and administers requests and appointments of private judges.

A person who is not currently a judge of a circuit, superior, criminal, probate, municipal, or county

court, but who has served as a judge for at least four (4) consecutive years may serve as a private judge. A private judge must be admitted to practice law in Indiana and be an Indiana resident. A former judge who wishes to serve as a private judge must register with the Executive Director of the Division. The Executive Director compiles and periodically updates a list of registered private judges that is made available to the public.

Parties to an action that qualifies, who wish to have it heard by a private judge, must submit a written petition to the Executive Director requesting a private judge and naming the judge. The Executive Director verifies that the former judge is qualified as required by the statutory provisions and then forwards the petition to the selected private judge.

The parties then obtain and file the written consent of the private judge in the court where the case is filed. The parties may present the petition and consent either contemporaneously with the filing of the case in the trial court or after the case has been filed. The regular judge of the court in which the case is filed actually appoints the private judge.

The parties pay a private judge. The compensation contract must include terms for compensation of all personnel and the costs of facilities and materials as determined by the Clerk of the Circuit Court. Requests for private judges are rare, with the first one taking place in 2004 and one each in 2005 and 2006. For the most current list of registered private judges look on the judicial website at www.in.gov/judiciary/admin/private-judges/roster.

Judge Pro Tempore. Indiana law allows a judge *pro tempore* (temporary judge) to sit in the place of a regular judge who is unavailable. Indiana Trial Rule 63 makes provisions for local appointments and also for appointments of such judges by the Supreme Court in cases where the sitting judge is either disabled or unavailable to serve as judge. In 2006, the Court amended Trial Rule 63 to clarify the process for judges seeking *pro tempore* appointments due to illness and military duty as two examples. The Division is responsible for administering requests for judges *pro tempore* and preparing the orders appointing them. In 2006, the Supreme Court made nine such appointments. The circumstances surrounding these appointments range from absences due to military

service, temporary medical conditions, and vacancies created by retirement or death that exist until the Governor fills the vacancy.

To be appointed a judge *pro tempore* the individual must be an attorney in good standing with the bar of the Indiana Supreme Court. The judge *pro tempore* has the authority of the judge that is being temporarily replaced, subject to the continuing jurisdiction of the Supreme Court.

6) CIVIL LEGAL AID FUND

Since 1997, the Division has administered the distribution of a \$1 million annual appropriation from the Indiana General Assembly to aid qualified organizations providing legal assistance to indigent persons in civil cases. In 2006, the Division made distributions to 12 organizations providing civil legal aid services to Indiana's poor. These 12 organizations provided services to over 23,000 clients. Distributions are based upon an analysis of each county's civil caseload as it relates to the civil caseload for the entire state, and the number of organizations serving each county.

Data indicates that the vast majority of cases handled by these providers continues to involve domestic relations matters such as divorce, separation, custody, visitation, paternity, termination of parental rights, and spousal abuse.

For more information, see the Civil Legal Aid Fund report in the Indiana Trial Courts Annual Report section in this volume.

7) COURT IMPROVEMENT PROGRAM GRANT

The Indiana Supreme Court continued its Court Improvement Program in 2006 under the leadership of its Court Improvement Executive Committee. In addition, two new court improvement grants were received in 2006. The new grants are intended to focus on training and data collection and analysis.

The federal grant funds maintaining the original program are earmarked for improving the system for abused and neglected children in foster care. The Division serves as the fiscal administrator of the funds, while the Indiana Judicial Center provides substantive program administration.

Although the purpose and overall framework of the project are set by the U.S. Department of Health and Human Services and the American Bar

Association's Center on Children and the Law, the Supreme Court and the members of the Executive Committee have guided the direction of the Indiana program. During the initial phase of this multi-phased project, the Executive Committee identified priorities, including placing CHINS cases on a fast track, developing court technology, education and training, family courts, pre-hearing facilitation, and service coordination and delivery. In the second phase, 18 county-level programs aimed at expediting CHINS cases were implemented. During the third phase, efforts were focused on more comprehensive improvements in the delivery of services to children in the more populous counties of Allen, Lake, Marion, Elkhart and St. Joseph. In the fourth phase, funding was provided to assist in the design of two Family Court Pilot Projects. The projects, located in Putnam and Porter counties, use mediation or facilitation services in family court cases with CHINS involvement.

During the project's fifth phase in 2002, eight counties were given funding to replicate successful programs developed in the large counties during phase three. These include pre-hearing facilitation in CHINS cases, case manager services, and family court projects. These projects continued into early 2003, with several obtaining grant extensions through 2003 and into 2004. The Executive Committee also authorized \$50,000 per year for technology to track cases involving neglected and abused children.

In 2004, the Executive Committee agreed to provide \$60,000 per year for two years to the Indiana Supreme Court Family Court Pilot Project, which had expanded into seventeen counties. CHINS facilitation projects and service referral centers also received continued funding. A new grant was provided to Marion County, the state's largest county, to compensate a part-time judicial officer who heard backlogged termination of parental rights cases.

Beginning January 1, 2006, three grants were awarded: the Family Court Project will receive \$60,000 per year for two years to allow continued expansion throughout the state; the Vanderburgh Superior Court has received \$25,000 to continue its Parents' Drug Court Program; and the Porter County Family Court has received \$20,000 to continue its CHINS facilitation program.

The Indiana Supreme Court anticipates that the innovative programs developed through this grant funding will continue to markedly improve the delivery of services to Indiana's children.

8) COMMUNICATION LINK WITH JUDGES AND CLERKS

The Division staff continues to provide a communication link with the trial courts, clerks and their staffs through a quarterly newsletter, the Indiana Court Times, and routine e-mail communications. The Division maintains an updated e-mail directory for all judges, magistrates and clerks and provides JTAC-funded email service for courts and clerks who cannot fund it. In 2006, the Division began making plans for a judicial "listserv" that will enable all Indiana judicial officers to communicate and share ideas in a convenient and accessible on-line forum. It will go live in 2007.

The Division also communicates with the courts and clerks via the ICOR program in relation to online statistical reporting. The Division disseminates important information via e-mail but provides updates and other information on its own website as well as INCite, the website maintained by JTAC.

TECHNOLOGY

1) TRIAL COURT TECHNOLOGY AND AUTOMATION

Significant progress was made in 2006 on the largest technology project ever undertaken by the Indiana Supreme Court, providing courts and clerks with a statewide Case Management System (CMS). This work is directed by the court's Judicial Technology and Automation Committee (JTAC) chaired by Justice Frank Sullivan, Jr. After a 10-month selection process, Tyler Technologies Inc., a Texas-based firm with significant experience in court and government operations, was chosen to conduct a fit analysis and provide Indiana with a CMS. The system will link Indiana trial courts and clerks with each other and those that need their information including the State Police, Department of Revenue, Department of Correction, Department of Child Services, attorneys, advocates, policy makers and the public.

As part of the vendor selection process, more than

50 staff members, stakeholders and experts reviewed 14 proposals; hosted public demonstration sessions; spoke with users of various products in 16 states and 17 Indiana counties; and conducted on-site visits where finalists' products were already in use. JTAC expects Tyler to deliver a functioning CMS to at least three Indiana counties in 2007.

The CMS is JTAC's largest undertaking, but there were other significant highlights in 2006.

Protection Order Registry – In collaboration with state partners, JTAC received a federal grant to create a statewide electronic registry that will provide critical information to local, state and national enforcement databases within minutes of a judge's order instead of hours or days. Getting protection orders into the hands of people who need them as soon as possible will enhance the safety of those involved in domestic violence disputes. The technical work for the system was well underway in 2006, and pilots will begin in 2007.

Jury Pool Project – This project was awarded a special merit citation from the American Judicature Society in September and the Sigmund Beck Award from the Indiana Civil Liberties Union in November. Previously, only 60 to 80 percent of eligible jurors were included in county jury pool lists. Now the lists JTAC creates include more than 99 percent of eligible jurors and are available to all counties at no cost. Building on that success, JTAC is also creating a new Jury Management System that will help courts and clerks create jury lists, labels, summonses and reimbursement records.

JTAC-BMV Project – This successful venture produced significant results in 2006. The Project was launched to help counties meet federal requirements for faster reporting to the BMV of serious violations by commercial drivers. New rules set a 30-day deadline in 2005, dropping to 10 days in 2008. JTAC assisted courts with existing case management systems and also created a secure, web-based application for record transmission. Thanks to JTAC's efforts, average transmission time went from 53 to 17 days. The number of courts sending records electronically instead of by mail or fax went from about 30 to more than 150.

ICOR Project—This project, Indiana Courts Online Reporting, will allow the courts and probation

departments to begin filing all their statistical reports online in a web-based environment in 2007. The Division will conduct training and launch the quarterly reports and will be launching the annual fiscal reports in late 2007 for use by the courts for year-end reporting. The Division's 2007 Annual Judicial Service Report will draw its statistics entirely from the ICOR system.

Indiana Courts website – JTAC maintains this extremely popular site which had more than 20 million hits in 2006, a 30% increase over 2005. Appellate opinions remain the most accessed portion of the website, and the Child Support Calculator is the second most popular feature. Visitors to www.IN.gov/judiciary will also find online tours of many county courthouses along with practical and historical information about the buildings.

JTAC was created by administrative rule in 1999 with a mission to assess information technology needs and develop a long-range strategy for Indiana courts.

2) APPELLATE COURT AUTOMATION AND TECHNICAL SERVICES

The Technical Services Section of the Division provides daily computer operations support to all appellate level courts and their adjunct agencies, and strives to keep pace with advancing technology for all of the populations it serves. In addition to maintaining the Justices' and Judges' remote access to their court information, the Section also maintains connections between the Supreme Court and other state agencies.

In 2006 the section installed new firewalls and virus detection appliances on the network, along with a spam filter that has reduced spam e-mail by over 90%. In addition, the section also upgraded all web service system software and provided wireless public Internet access in the Supreme Court Law Library.

The section also enhanced the maintenance of the Indiana Roll of Attorneys' registration procedure. Now attorneys may complete their annual registration and pay the annual registration fees entirely on the Internet, using the credit card payment website. In addition, attorneys may update their registration addresses and review their Continuing Legal Education hours.

COMMISSIONS AND COMMITTEES – STAFF SUPPORT

1) JUDICIAL NOMINATING COMMISSION/ INDIANA COMMISSION ON JUDICIAL QUALIFICATIONS

Pursuant to I.C. § 33-24-6-3(4), the Division provides legal and administrative staff support to the Indiana Commission on Judicial Qualifications and the Indiana Judicial Nominating Commission. The Qualifications Commission investigates and prosecutes allegations of ethical misconduct by Indiana judges, judicial officers, and candidates for judicial office. Commission staff is available to advise judges and others about the Code of Judicial Conduct, and the Commission periodically issues formal advisory opinions about judicial ethics. The Nominating Commission selects the Chief Justice of Indiana from among the five Justices, and it solicits and interviews candidates for vacancies on the Indiana Supreme Court, the Indiana Court of Appeals, and the Indiana Tax Court. The Nominating Commission also certifies former judges as senior judges.

A more detailed report about the Commission, its members and activities is published in the Indiana Supreme Court Annual Report, and may be found at www.IN.gov/judiciary/jud-qual.

For more information, see the Judicial Nominating Commission statistical report in the Indiana Trial Courts Annual Report section in this volume.

2) RULE AMENDMENTS AND THE SUPREME COURT COMMITTEE ON RULES OF PRACTICE AND PROCEDURE

The Executive Director of the Division serves as Executive Secretary of the Indiana Supreme Court Committee on Rules of Practice and Procedure and, together with Division legal staff, assists the Committee and the Supreme Court in drafting and promulgating amendments to the Indiana Rules of Court.

The most prominent rule amendments adopted by the Court in 2006 dealt with: 1) amending the Administrative Rules regarding collection of fees for electronic service systems; 2) revising the distribution of lawyer registration fees among court agencies; 3) re-working the *pro hac vice*, now temporary admission

rules, and clarifying the procedures for appointing judges *pro tempore* under Trial Rule 63.

During 2006, among other issues, the Committee also devoted substantial time to studying proposals regarding Trial Rules 53.1 and 53.2, the so called “Lazy Judge” rules, e-discovery rules, changes to the appellate rules concerning interlocutory appeals of class action certification issues, and attorney surrogates.

For more information, see the Withdrawn Jurisdiction Pursuant to Trial Rule 53.1 and 53.2 statistical report in the Indiana Trial Courts Annual Report section in this volume.

3) PUBLIC DEFENDER COMMISSION

The Division is responsible for providing staff support to the Indiana Public Defender Commission. The Commission sets standards for indigent defense services in non-capital cases and recommends standards to the Indiana Supreme Court for application in capital cases. The Commission is comprised of eleven members: three members are appointed by the Governor; three members are appointed by the Chief Justice; one member is appointed by the Indiana Criminal Justice Institute; two are members of the House of Representatives appointed by the Speaker of the House; and two are members of the Senate appointed by the President *Pro tempore* of the Senate.

In capital cases, counties receive reimbursement for 50 percent of eligible expenses. In other criminal cases, counties that qualify by meeting certain standards receive up to 40 percent reimbursement of indigent criminal defense costs. Through this system of reimbursement, the Legislature and the Supreme Court intend to encourage counties to provide qualified indigent defense in criminal cases.

In 2006, appropriations to the Public Defense Fund, which is non-reverting, totaled \$10 million. As of the time of this report, 56 counties have comprehensive plans for delivery of indigent services approved by the Commission. Over 60 percent of the state’s population resides in counties eligible to receive reimbursements in non-capital cases under the program.

The entire Commission meets quarterly and reviews claims submitted by counties for eligibility

and compliance with statewide standards. In fiscal year 2006, the Commission disbursed \$9,071,325 for non-capital cases and \$386,289 for capital cases.

For more information, see the Public Defender Commission statistical report in the Indiana Trial Courts Annual Report section in this volume.

4) INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY (CLEO)

The Indiana Conference for Legal Education Opportunity (Indiana CLEO) program began as a vision of the Chief Justice to change the landscape of the Indiana legal and professional community to reflect Indiana's diversity. When the legislation for the Indiana CLEO program was passed in May 1997, Indiana became a leader in acting to diversify its legal and professional communities. The Indiana CLEO enabling legislation provides that the Division administer the program. Indiana CLEO continues to advance the aspiration of Chief Justice Shepard to increase the number of Indiana attorneys who come from minority, low-income and educationally disadvantaged backgrounds.

The six-week Summer Institute is the starting point and cornerstone of the Indiana CLEO program. The Summer Institute is designed to prepare its participants for the rigors of law school by providing concentrated classroom instruction and practical legal applications. The Summer Institute also offers the opportunity to form a network with Indiana legal professionals and law students to assist CLEO Fellows once law school begins in the fall.

Indiana CLEO offers many programs that have helped past Indiana CLEO Fellows succeed in academics, acquire legal training, and pass the Indiana bar exam. Indiana CLEO sponsors academic support programs and workshops for Fellows throughout the academic year; partners with the Indiana State Bar Association's Committee for Racial Diversity in the Legal Profession to provide a summer jobs program, known as Gateway to Diversity, and, collaborates with the Indianapolis Bar Association to offer a supplemental bar exam preparation program known as Preparing Accomplished Students for Success on the Indiana Bar Exam (PASS).

Indiana CLEO Fellow graduates have gone on to work as deputy prosecutors, public defenders,

deputy attorneys general, private practice attorneys, solo practitioners, corporate counsel, executive directors, judicial law clerks, JAG officers, law school admissions directors, and human resource directors. Indiana CLEO will continue to change the landscape of the Indiana legal and professional community by educating and nurturing Indiana CLEO Fellows for years to come.

In May 2006, Robyn Rucker, a 1999 CLEO Fellow, took the position of Indiana CLEO Program Coordinator. Additionally, Chasity Thompson Adewopo, also a 1999 CLEO Fellow, was named Director of Professional Development at the Indiana University School of Law Indianapolis.

In 2006, Indiana CLEO expanded its Gateway to Diversity Summer Employment Program by adding two new employers. Additionally, in 2006 Indiana CLEO created partnerships with the Student African American Brotherhood at IUPUI, Indiana Black Expo, and the Evansville Bar Association to help facilitate community awareness about the program and recruit qualified applicants.

For more information, see the CLEO statistical report in the Indiana Trial Courts Annual Report section in this volume.

5) COMMISSION ON RACE AND GENDER FAIRNESS

Committed to the fundamental principle that every litigant is entitled to equal access and fair treatment in our courts, the Supreme Court created the Commission on Race and Gender Fairness in 1999 to examine issues involving race and gender fairness in Indiana's judicial system. The Court assigned the Division the duty of providing the necessary staff support to the Commission. The 25 seat commission includes representatives of Indiana's judiciary, bar, state and local governments, academia, law enforcement and corrections, and public organizations. Former Indiana Supreme Court Justice Myra Selby is the chair, and Indiana Court of Appeals Judge Ezra Friedlander is the co-chair of the Commission.

The Commission conducted three years of research on the issue of race and gender fairness in the Indiana judicial system and submitted its Executive Report and Recommendations to the Indiana

Supreme Court on January 2, 2003. In this report, the Commission made 30 recommendations in five specific areas: Makeup of the Profession; Language and Cultural Barriers; Criminal and Juvenile Justice; Civil, Domestic and Family Law, and Employment. The Supreme Court approved the majority of the Commission's recommendations, and requested that the Commission prioritize the approved recommendations for implementation. The first recommendation- establishing a foreign language certified court interpreter program- was initiated just a few months later, and the Commission continues in its mission to accomplish the objectives of the Court. Other accomplishments of note include: the 2005 Diversity Summit, which featured Harry Belafonte as the keynote speaker, data collection on the demographic makeup of the legal profession in Indiana, the issuance of the women in law survey (the results of which will be examined in a law review article and published in 2007) and the creation and distribution of a Spanish initial rights hearing video, to name a few. Progress continues on the Court's additional recommendations.

6) INDIANA PROJECT ON SELF-REPRESENTED LITIGANTS – PRO SE COMMITTEE.

Since 2000, the Division has helped the Indiana Supreme Court *Pro Se* Advisory Committee maintain a Self Service Center on the judicial website, and

helped trial courts and their staff respond to the growing number of self-represented litigants. The *Pro Se* Advisory Committee consists of judges, court clerks, community members, librarians, attorneys, and other service providers.

The Self-Service website (found at www.in.gov/judiciary/selfservice) provides pleading forms and instructions for unrepresented parties to use in certain simple proceedings. A Division staff attorney also serves as a contact person to provide referral resources for *pro se* litigants.

For more information, see the *Pro Se* Litigants statistical report in the Indiana Trial Courts Annual Report section in this volume.

7) SUPREME COURT RECORDS MANAGEMENT COMMITTEE

(See information/records management section under trial court management.)

The Supreme Court Records Management Committee is created by a Supreme Court Rule to study and provide advice and guidance on court records issues. The Division records management section staffs the committee. Please see above in this report for more detailed information concerning the work of the committee and Division staff support.